

PROB 12C
(6/16)

Report Date: June 17, 2024

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jun 18, 2024**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Lazaro Diaz

Case Number: 0980 4:19CR06048-MKD-2

Address of Offender: [REDACTED] Pasco, Washington 99301

Name of Sentencing Judicial Officer: The Honorable Mary K. Dimke, U.S. District Judge

Date of Original Sentence: July 20, 2023

Original Offense: Distribution of 50 Grams or More of Actual Methamphetamine, 21 U.S.C. § 841 (a)(1),
(b)(1)(C)Original Sentence: Prison - Time Served (1152 days) Type of Supervision: Supervised Release
TSR - 48 monthsRevocation Sentence: Prison - 120 days
(March 14, 2024) TSR - 32 months

Asst. U.S. Attorney: Stephanie A. Van Marter

Date Supervision Commenced: May 2, 2024

Defense Attorney: Jennifer R. Barnes

Date Supervision Expires: January 1, 2027

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 05/30/2024.

On July 28, 2023, and on May 2, 2024, all the conditions of supervised release were reviewed with Mr. Diaz. He signed a copy of his conditions, and was provided with a copy. Mr. Diaz verbalized understanding all his conditions of supervised release.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition #4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Lazaro Diaz is considered to be in violation of his terms of supervised release by having used a controlled substance, methamphetamine, on or about May 29, 2024.

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On May 31, 2024, Mr. Diaz reported to the probation office as required. During this office visit, Mr. Diaz admitted to the undersigned officer to using methamphetamine on the morning of May 29, 2024, and he signed a drug use admission form. Mr. Diaz reported he found the methamphetamine inside his pant pocket, he then placed the drug on a water bottle cap, mixed water, and he then drank the methamphetamine. P admitted his “high” is more intense when he drinks the drug.

- 6 **Special Condition #4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Lazaro Diaz is considered to be in violation of his terms of supervised release by having used a controlled substance, amphetamine, on or about June 4, 2024.

On June 4, 2024, Mr. Diaz reported to the probation office and completed a drug test. Mr. Diaz denied any drug use. The drug test was presumptive positive for amphetamine and methamphetamine. This drug test was packaged and sent to Abbott Laboratory for confirmation. The probation office later received the drug test report from Abbott Laboratory on June 12, 2024, confirming a positive result for amphetamine.

- 7 **Special Condition #4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Lazaro Diaz is considered to be in violation of his terms of supervised release by having used a controlled substance, methamphetamine, on or about June 10, 2024.

On June 11, 2024, Mr. Diaz reported to the probation office and admitted to the undersigned officer to having used methamphetamine the day before on June 10, 2024 after having learned his sister was diagnosed with a serious medical condition. Mr. Diaz signed a drug use admission form.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 17, 2024

s/Elizabeth Lee

Elizabeth Lee
U.S. Probation Officer

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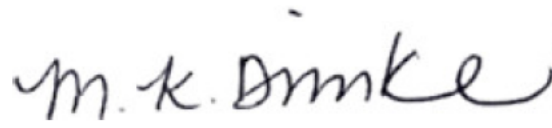

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

6/18/2024

Date